

WEST VIRGINIA DRUG COURTS: What It Takes to Succeed

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THE IDEAL OF DRUG COURT

I.E. WHAT WAS OUR VISION ON JANUARY 1, 2006?

What we thought would work in the beginning:

- We thought for the most part, that graduates would be “cured.”
- We thought it would impede and perhaps reduce the infiltration of drugs in our communities.
- We thought we could maintain 100 participants in Drug Court.
- We thought that we would have widespread community involvement.
- We never thought that co-occurring disorders would be so prevalent.
- We had a different vision of what a successful Drug Court graduate would look like.

THE REALITY OF DRUG COURT

I.E. WHAT DO WE KNOW NOW!

- People suffering from addiction are never “cured.”
- Drug Court is not **THE** answer to drug problems in the community (earlier intervention- Truancy Court and Juvenile Drug Court address the “front end.”)
- Because of the intensity, and for many other reasons-we average about 40 participants at a time.
- Community involvement develops slowly, but when it does, it plays a dramatic role.
- We spend almost as much time dealing with co-occurring disorders as we do with addiction. (We have 40 participants - 13 diagnosed with co-occurring disorders and 5 being assessed).
- Our vision of success has changed.

WHAT DOES IT TAKE FOR A DRUG COURT TO BE SUCCESSFUL?

- Drug Court Judge, Prosecutor, and Adult Court Probation Officer must be on board.
- Prosecutor “buy in” is essential.
- Money and Resources are critical.
- Partnering with outside agencies is mandatory.
- Dedicated and Competent Team is the key.
- Must be able to “Roll With the Punches.”
- Must be able to “Think Outside the Box.”

REMINDER:

WHO IS ON THE DRUG COURT TEAM?

- Circuit Court Judge
- Prosecutor
- Public Defender
- Adult Drug Court Probation Officer
- Probation Officer
- Home Confinement Officer/Community Supervision
- DRC Director
- Treatment Providers
- Case of WV Transitional Housing
- Case Manager
- Parole Services
- DHHR
- Where is law enforcement?

START WITH A NEEDS ASSESSMENT AND “RESOURCE MAPPING”

- Non-governmental Agencies-churches
- CASE of WV-Housing
- Mental Health Facilities-SHCMHC
- Community Connections
- DHHR Liaison-Economic Services, CPS, etc.
- Inpatient/Outpatient Treatment Facilities
- Day Report Center
- Crisis Intervention Facilities
- Home Confinement Officers
- Employment Services
- AA/NA/Recovery Community
- Education
- “How do you use Law Enforcement?” This can be a Wildcard.
- Reassess constantly

CHOOSING PARTICIPANTS FOR DRUG COURT

- Not EVERYONE is a good candidate
- Screening is critical for several reasons:
 - Determine if the candidate has a true substance abuse addiction.
 - Does the candidate have mental health issues separate and apart from their addiction?
 - What really causes the addictive patterns which lead to their criminal behavior?

WHAT WE HAVE LEARNED?

- Relapse **IS** going to happen. It's part of recovery.
- After a certain time in drug court, the participant's Mental Health problems will surface.
- You **WILL** lose participants and it doesn't mean that Drug Court doesn't work.
- Drug Court is **NOT** a panacea.

DEFERRED ADJUDICATION:

A Creative Use of the Judicial System

- If not found guilty then, the participant is NOT a convicted felon. This is KEY because if they become a convicted felon, then they become ineligible for certain benefits.
- Housing may be unavailable-HUD WILL NOT accept a convicted felon.
- Jobs-many employers WILL NOT hire a convicted felon.
- Certain professions are closed.
- Other Benefits are unavailable.

HOW CAN DRUG COURT HELP OUR CHILDREN?

- Most cases on our Abuse & Neglect and Criminal Dockets have their origins in substance abuse.
- The more successful the Drug Court participant, the higher probability that children will benefit.
- Clean, employed graduates who are parents have a higher likelihood of rebuilding their families.
- Drug-free babies are the single best long-term benefit: “cycle breakers.”

HOW DO YOU MARKET DRUG COURT IN YOUR COMMUNITY?

- Educate the community
- Invite your community leaders , county commissions, graduates' family members, etc.
- Collect realistic recidivism data- very important
- Community Service Projects completed
- Demonstrate higher reunification rates with children
- Money spent now will result in decreased incarceration and fewer problem families in the future

WHAT LEADS TO DISASTER?

- Key Players not being on board.
- Unrealistic expectations-Drug Court is not a magic bullet that will cure all ills.
- Retaining pre-conceived notions.
- Not having an Aftercare Program
- Giving up too early! On paper it takes 1 year to complete Drug Court, but in reality it takes much longer.
- Large groups tend to have higher failure rates.
- Not realizing that it takes a holistic approach because the problems involve more than just the parties, but also involve their families, spouses and children.
- Not inoculating the public and press that there will be setbacks.
- Not being consistent with all participants in Drug Court .

**Drug Courts Will Work But They Are
Hard Work!**